

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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<b>In re:</b>	)	
	)	
<b>MLCJR LLC, <i>et al.</i>,<sup>1</sup></b>	)	<b>Chapter 7</b>
	)	
<b>Debtors.</b>	)	<b>Case No. 23-90324 (CML)</b>
	)	
	)	<b>Jointly Administered</b>
	)	

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**TRUSTEE’S WITNESS AND EXHIBIT LIST**

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Michael D. Warner, solely in his capacity as chapter 7 trustee (the “Trustee”) for the administratively consolidated estates of MLCJR, et al. (the “Estates”) submits this *Trustee’s Witness and Exhibit List* in connection with that certain Emergency Motion for Authority to (A) Relinquish Certain Federal Leases; (B) Abandon the Remaining Title to Certain Federal Leases; and (C) For Related Relief [Doc. No. 2341]<sup>2</sup> (the “Motion”) currently set for hearing on January 28, 2025 at 1:00 p.m. (prevailing Central Time) (the “Hearing”) before Judge Christopher M. Lopez in Courtroom 401, 515 Rusk, Houston, TX 77002.

**WITNESSES**

The Trustee will and reserves the right to call the following witnesses at the Hearing:

1. Michael D. Warner, solely in his capacity as Trustee for the Estates;
2. Rodney Dykes as fact witness and potentially as expert witness on oil and gas operations, health and safety, bonding, and royalties.

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<sup>1</sup> The debtors in these cases (the “Debtors”), along with the last four digits of each Debtor’s federal tax identification number, are: MLCJR LLC (0875); Cox Oil Offshore, L.L.C. (7047); Cox Operating, L.L.C. (0939); Energy XXI GOM, LLC (0027); Energy XXI Gulf Coast, LLC (8595); EPL Oil & Gas, LLC (9562); and M21K, LLC (3978). The Debtors’ address is 4514 Cole Ave, Suite 1175, Dallas, Texas 75205.

<sup>2</sup> Unless otherwise specified, Doc. Nos. refer to Case No. 23-90324.

The Trustee may, and reserves the right to, call the following witnesses at the Hearing:

1. Natural Resources Worldwide, LLC and/or any of its current or former agents, officers, directors, or employees.
2. Vincent DeVito as fact witness and potentially as expert witness on oil and gas operations, health and safety, bonding, and royalties;
3. Array Petroleum, LLC and/or any of its current or former agents, officers, directors, or employees;
4. GOM Operating, LLC and/or any of its current or former agents, officers, directors, or employees;
5. United States through its departments.
6. Ryan and/or any of its current or former agents, officers, directors, or employees, including without limitation
7. Steve Dudgeon as fact witness and potentially as expert witness on oil and gas bonding and royalties;
8. Any witness designated or called by any other party;
9. Any witness necessary to rebut any evidence or testimony; and
10. Any witness necessary to authenticate any document;
11. Any witness needed for impeachment.

### **EXHIBITS**

<b>Ex. #</b>	<b>Description</b>	<b>Offered</b>	<b>Objection</b>	<b>Admitted / Not Admitted</b>	<b>Disposition</b>
1.	List of Federal Leases included in the Sale Transaction [Doc. No. 2341-1]				

2.	<i>Order (A) Approving the Purchase and Sale Agreement with Natural Resources Worldwide, LLC, (B) Authorizing the Sale of Certain Assets of the Debtors Free and Clear of Liens, Claims, Encumbrances and Interests, (C) Authorizing the Assumption and Assignment of Certain Contracts and Leases, and (D) Granting Related Relief</i> [Doc. No. 1626]				
3.	<i>Notice of Filing of Amendment to Purchase and Sale Agreement with Natural Resources Worldwide, LLC</i> [Doc. No. 1642]				
4.	<i>Notice of Closing Date Under Purchase and Sale Agreement with Natural Resources Worldwide, LLC</i> [Doc. No. 1644]				
5.	<i>Order Regarding the DIP Agent's Emergency Motion for Relief from the Automatic Stay to Enforce Rights Under the DIP Documents and Use of Cash Collateral</i> [Doc. No. 1472]				
6.	<i>Debtors' Emergency Motion to (I) Convert Chapter 11 Cases to Cases Under Chapter 7; (II) to Shorten Notice Related Thereto; and (III) for Related Relief</i> [Doc. No. 1661]				
7.	<i>Order (I) Converting Chapter 11 Cases to Cases Under Chapter 7; (II) Shortening Notice Related Thereto; and (III) Granting Related Relief</i> [Doc. No. 1720]				
8.	<i>Joint Stipulation and Agreed Order Between Debtors and Natural Resources Worldwide, LLC</i> [Doc. No. 2222]				
9.	<i>Natural Resources Worldwide, LLC's Motion Pursuant to Stipulation and Agreed Order</i> [Doc. No. 2274]				

10.	<i>Trustee's Objection to Motion of Natural Resources Worldwide, LLC's Pursuant to Stipulation and Agreed Order [Doc. No. 2295]</i>				
11.	<i>United States' Request for Payment of Administrative Expenses for Unpaid Federal Royalties Arising Since February 28, 2024 [Doc. No. 2312]</i>				
12.	<i>Trustee's Objection to United States' Request for Payment of Administrative Expenses for Unpaid Federal Royalties Arising Since February 28, 2024 [Doc. No. 2330]</i>				
13.	<i>Objection to United States' Request for Payment of Administrative Expenses for Unpaid Federal Royalties Arising Since February 28, 2024 [Doc. No. 2331]</i>				
14.	<i>Trustee's Motion to (I) Abandon Certain Federal and State Oil and Gas Leases, Rights-of-Use and Easement, and Rights-of-Way and Any Interests Related Thereto Under 11 U.S.C. § 554 (II) Reject any Related Existing Executory Contracts Under 11 U.S.C. § 365, and (III) Approve the Trustee's Anticipated Compromise Under Bankruptcy Rule 9019 with the United States Department of the Interior [Doc. No. 2216]</i>				
15.	<i>Trustee's Amended and Supplemented Motion to (I) Abandon Certain Federal and State Oil and Gas Leases, Rights-of-Use and Easement, and Rights-of-Way and Any Interests Related Thereto Under 11 U.S.C. § 554 (II) Reject any Related Existing Executory Contracts Under 11 U.S.C. § 365, and (III) Approve the Trustee's Anticipated Compromise Under Bankruptcy Rule 9019 with the United States Department of</i>				

	<i>the Interior</i> [Doc. No. 2290]				
16.	<i>Order Authorizing (I) Abandonment of Certain Oil and Gas Leases, Rights-of-Use and Easement, and Rights-of-Way and Any Interests Related Thereto Under 11 U.S.C. § 554 (II) Rejection of any Related Existing Executory Contract Under 11 U.S.C. § 365, and (III) the Trustee's Compromise Under 11 U.S.C. § 363 with the United States Department of the Interior</i> [Doc. No. 2322]				
17.	<i>Verified Complaint for Breach of Contract, Injunctive Relief, and Damages</i> [Array Petroleum, LLC v. NRW, 2:24-cv-02867, E.D. La., Doc. No. 1]				
18.	<i>Opposition to Array's Application for Temporary Restraining Order and Order to Show Cause for Preliminary Injunction</i> [Array Petroleum, LLC v. NRW, 2:24-cv-02867, E.D. La., Doc. No. 8]				
19.	<i>Motion to Substitute Exhibit, Proposed Order, Substituted Exhibit 1 to Array's Application for Temporary Restraining Order and Order to Show Cause for Preliminary Injunction</i> [Array Petroleum, LLC v. NRW, 2:24-cv-02867, E.D. La., Doc. Nos. 9, 9-1, 9-2]				
20.	<i>NRW's Response to Supplemental Memorandum in Support of Temporary Restraining Order</i> [Array Petroleum, LLC v. NRW, 2:24-cv-02867, E.D. La., Doc. Nos. 15, 15-1]				
21.	<i>Complaint</i> [NRW v. The US Department of the Interior, et al, 2:25-cv-00111, E.D. La., Doc. No. 1]				

22.	Offshore Contract Operating Agreement dated February 1, 2024 between NRW and Array Petroleum, LLC				
23.	Designation of Operator forms designating Array Petroleum, LLC as the operator of the Federal Leases and executed by the Debtors				
24.	Email 6.10.24 from E. Poitevent to D. Stewart re NRW Reply to June 5 letter from Trustee				
25.	Email 12.20.24 from E. Poitevent to D. Stewart re NRW ONRR payment receipts				
26.	Email 12.20.24 from E. Poitevent to D. Stewart re Payment Confirmation – ONRR Royalty & Invoice Pmt.				
27.	Email 1.3.25 from E. Poitevent to D. Stewart & W. Robbins re Joint Motion to Dismiss Array-NRW EDLA lawsuit				
28.	Email 1.3.25 from E. Poitevent to D. Stewart & W. Robbins re Order Dismissing Array v. NRW lawsuit				
29.	Email 1.24.25 from B. York to D. Stewart & W. Robbins re Resumption of Production				
30.	Email 1.23.25 from B. York to D. Stewart, A. Mendez, E. Poitevent re BSEE Approval to Resume Operation				
31.	Email 1.21.25 from B. York to D. Stewart, A. Mendez, E. Poitevent re Health & Safety Obligations Associated with Sale and Request to Continue Hearing				

32.	Email 12.30.24 from S. Doverspike to D. Stewart re Array Shut-In Operations				
33.	Email 1.2.25 Email from S. Doverspike to D. Stewart re BSEE Unable to Conduct Inspections due to Access not Provided				
34.	Email 1.8.25 from S. Doverspike to D. Stewart re Array Shut-In Operations – Revision Letters Attached				
35.	CIMA Energy Quick Pay Calculations				
36.	Trustee’s First Set of Discovery Requests				
37.	Trustee’s Second Requests for Production of Documents				
38.	NRW’s Objections and Responses to Trustee’s First Set of Discovery Requests				
39.	NRW ‘s Objections and Responses to Trustee’s Second Set of Requests for Production of Documents				
40.	Any exhibit designated or introduced by any other party				
41.	Any exhibit necessary to rebut the evidence or testimony of any witness offered or designated by any other party				
42.	Any exhibit necessary for impeachment of any witness offered or designated by any other party				

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**JUDICIAL NOTICE OF PLEADINGS**

In the alternative, the Trustee requests this Court take judicial notice of the following documents:

<b>Case No.</b>	<b>Docket No.</b>	<b>Description</b>
23-90324	2341-1	<i>List of Federal Leases included in the Sale Transaction</i>
23-90324	1626	<i>Order (A) Approving the Purchase and Sale Agreement with Natural Resources Worldwide, LLC, (B) Authorizing the Sale of Certain Assets of the Debtors Free and Clear of Liens, Claims, Encumbrances and Interests, (C) Authorizing the Assumption and Assignment of Certain Contracts and Leases, and (D) Granting Related Relief</i>
23-90324	1642	<i>Notice of Filing of Amendment to Purchase and Sale Agreement with Natural Resources Worldwide, LLC</i>
23-90324	1644	<i>Notice of Closing Date Under Purchase and Sale Agreement with Natural Resources Worldwide, LLC</i>
23-90324	1472	<i>Order Regarding the DIP Agent's Emergency Motion for Relief from the Automatic Stay to Enforce Rights Under the DIP Documents and Use of Cash Collateral</i>
23-90324	1661	<i>Debtors' Emergency Motion to (I) Convert Chapter 11 Cases to Cases Under Chapter 7; (II) to Shorten Notice Related Thereto; and (III) for Related Relief</i>
23-90324	1720	<i>Order (I) Converting Chapter 11 Cases to Cases Under Chapter 7; (II) Shortening Notice Related Thereto; and (III) Granting Related Relief</i>
23-90324	2222	<i>Joint Stipulation and Agreed Order Between Debtors and Natural Resources Worldwide, LLC</i>
23-90324	2274	<i>Natural Resources Worldwide, LLC's Motion Pursuant to Stipulation and Agreed Order</i>
23-90324	2295	<i>Trustee's Objection to Motion of Natural Resources Worldwide, LLC's Pursuant to Stipulation and Agreed Order</i>
23-90324	2312	<i>United States' Request for Payment of Administrative Expenses for Unpaid Federal Royalties Arising Since February 28, 2024</i>
23-90324	2330	<i>Trustee's Objection to United States' Request for Payment of Administrative Expenses for Unpaid Federal Royalties Arising Since February 28, 2024</i>
23-90324	2331	<i>Objection to United States' Request for Payment of Administrative Expenses for Unpaid Federal Royalties Arising Since February 28, 2024</i>

23-90324	2216	<i>Trustee's Motion to (I) Abandon Certain Federal and State Oil and Gas Leases, Rights-of-Use and Easement, and Rights-of-Way and Any Interests Related Thereto Under 11 U.S.C. § 554 (II) Reject any Related Existing Executory Contracts Under 11 U.S.C. § 365, and (III) Approve the Trustee's Anticipated Compromise Under Bankruptcy Rule 9019 with the United States Department of the Interior</i>
23-90324	2290	<i>Trustee's Amended and Supplemented Motion to (I) Abandon Certain Federal and State Oil and Gas Leases, Rights-of-Use and Easement, and Rights-of-Way and Any Interests Related Thereto Under 11 U.S.C. § 554 (II) Reject any Related Existing Executory Contracts Under 11 U.S.C. § 365, and (III) Approve the Trustee's Anticipated Compromise Under Bankruptcy Rule 9019 with the United States Department of the Interior</i>
23-90324	2322	<i>Order Authorizing (I) Abandonment of Certain Oil and Gas Leases, Rights-of-Use and Easement, and Rights-of-Way and Any Interests Related Thereto Under 11 U.S.C. § 554 (II) Rejection of any Related Existing Executory Contract Under 11 U.S.C. § 365, and (III) the Trustee's Compromise Under 11 U.S.C. § 363 with the United States Department of the Interior</i>
<i>Array Petroleum, LLC v. NRW, 2:24-cv-02867, E.D. La.</i>	1	<i>Verified Complaint for Breach of Contract, Injunctive Relief, and Damages</i>
<i>Array Petroleum, LLC v. NRW, 2:24-cv-02867, E.D. La.</i>	8	<i>Opposition to Array's Application for Temporary Restraining Order and Order to Show Cause for Preliminary Injunction</i>
<i>Array Petroleum, LLC v. NRW, 2:24-cv-02867, E.D. La.</i>	9 9-1 9-2	<i>Motion to Substitute Exhibit, Proposed Order, Substituted Exhibit 1 to Array's Application for Temporary Restraining Order and Order to Show Cause for Preliminary Injunction</i>
<i>Array Petroleum, LLC v. NRW, 2:24-cv-02867, E.D. La., Doc. Nos. 15, 15-1</i>	15 15-1	<i>NRW's Response to Supplemental Memorandum in Support of Temporary Restraining Order</i>

<i>NRW v. The US Department of the Interior, et al, 2:25-cv- 00111, E.D. La., Doc. No. 1</i>	1	Complaint
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**RESERVATION OF RIGHTS**

Discovery is ongoing between the parties and the Trustee expressly reserves any and all rights to amend or supplement the foregoing *Trustee's Witness and Exhibit List*.

Dated: January 27, 2025

Respectfully Submitted,

**STEWART ROBBINS BROWN & ALTAZAN,  
LLC**

By: /s/ Paul Douglas Stewart, Jr.  
Paul Douglas Stewart, Jr. (La. Bar # 24661)  
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***Counsel for Michael D. Warner, Chapter 7  
Trustee***

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing pleading was caused to be served upon all parties that are registered to receive electronic service through the court's ECF notice system in the above case on this 27th day of January 2025.

/s/ Paul Douglas Stewart, Jr.

Paul Douglas Stewart, Jr.